

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
NORTHERN DIVISION**

IN RE:	)	
	)	Chapter 11
PREMIER KINGS, INC., <i>et al.</i> , <sup>1</sup>	)	
FEIN: xx-xxx3932,	)	Case No.: 23-02871-TOM11
	)	
Debtor.	)	(Jointly Administered)
_____	)	

**LIMITED OBJECTION BY SOUTH COAST ENTERPRISES AND RAVE  
ENTERPRISES TO THE DEBTORS’ MOTION FOR (I) ORDER APPROVING  
BIDDING PROCEDURES AND GRANTING REALTED RLEIF; (II) AN ORDER  
APPROVING BID PROTECTION FOR STALKING HORSE BIDDERS; (III)  
APPROING PROCEDUES FOR ASSUMPTION AND ASSIGNMENT OF EXECUTORY  
CONTRACTS;AND (IV) GRANTING RELATED RELIEF**

COME NOW South Coast Enterprises and Rave Enterprises, LLC (hereinafter, jointly “South Coast”); creditors in the above styled matter, and respectfully submit this limited objection to the Debtors’ Motions for (i) an Order Approving Bidding Procedures for the sale of substantially all the Debtors’ Assets; (ii) Approving Bid Protection for Stalking Horse Bidders; (iii) Approving Procedures for Assumption and Assignment of Executory Contracts and Unexpired Leases and (iv) Granting Related Relief requested therein (“the Motion”) [Doc 42] on the following grounds:

1. Pre-petition, the Debtor entered into 5 commercial leases with South Coast Enterprises, located in Jacksonville, Florida and surrounding areas from which the Debtor operated its business.
2. Also, pre-petition the Debtor entered into a commercial lease with Rave Enterprises located in Okatie, South Carolina from which the Debtor operated its business.

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<sup>1</sup> The Debtors in these cases, along with the last four digits of each Debtor’s federal tax identification numbers, are: Premier Kings, Inc. (3932); Premier Kings of Georgia, Inc. (9797); and Premier Kings of North Alabama, LLC (9282). The Debtors’ address is 7078 Peachtree Industrial Blvd., Suite #800, Peachtree Corners, GA 30071.

3. Under each commercial lease not only is the Debtor required to pay monthly rent but it is also responsible for the payment of all taxes, insurance and maintenance for the properties. In addition, there are specific provisions for rent escalations over the life of the lease in addition to standard terms for late payments and default provisions. Debtors are in default under the leases.
4. South Coast adopts and joins in the Limited Objection filed by Premier Holdings, LLC, and its related entities in opposition to the Debtors' Motion [Doc. 198]. South Coast also joins the limited objections filed by creditors similarly situated to that of South Coast and Premier Holdings, to the extent that grounds for such an objection is consistent with those stated herein
5. Specifically, the cornerstone of any objection by a lessor such as South Coast to the possible assumption and assignment of a lease, is the right to assess the potential tenant's ability to cure any default and provide adequate assurance of future performance. The Motion currently does not allow sufficient time between the receipt of Adequate Assurance Information (deadline December 6, 2023) and the deadline to object to the adequacy of such information (deadline 4:00 pm December 6, 2023). Nor does the Motion allow sufficient time to object after the receipt of the Cure Notice since there is no deadline for the receipt of the information, yet any objection to the cure amount is also due on December 6, 2023. The Debtors should therefore be required to amend the Motion as follows: i) to provide the Adequate Assurance Information to the counterparties by 12:00 p.m. (CST) on December 4, 2023; and (ii) provide the Cure Notice information to the counterparties by 12:00 p.m. (CST) on December 4, 2023, in order to allow for a meaningful review of the proposed adequate assurance and cure amount information.

WHEREFORE, PREMISES CONSIDERED, South Coast respectfully requests that this Court enter an order sustaining this limited objection for the reasons stated herein and grant it such further and additional relief as to which it is justly entitled.

Respectfully submitted on this the 19<sup>th</sup> day of November, 2023.

/s/ Kevin D. Heard  
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*Attorney for Rave Enterprises, South Coast Enterprises*

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#### **CERTIFICATE OF SERVICE**

I hereby certify that on the 19<sup>th</sup> day of November, 2023, I served a copy of the foregoing **Limited Objection** on all parties in interest via either United States Mail, postage prepaid and properly addressed, electronic mail, or by CM/ECF System for the United States Bankruptcy Court for the Northern District of Alabama, service has been made by a “Notice of Electronic Filing” pursuant to FRBP 9036 in accordance with subparagraph II.B.4. of the Court’s Administrative Procedures as indicated below:

/s/ Kevin D. Heard  
KEVIN D. HEARD